

1753 48

PATENT  
001390USAC02  
7828.7063

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of ) Examiner: Rodney G. McDonald  
NULMAN, et al. )  
Serial No.: 10/052,951 ) Art Unit: 1753  
Filed: January 17, 2002 )

For: COILS FOR GENERATING A PLASMA AND FOR SPUTTERING

TRANSMITTAL OF TERMINAL DISCLAIMER AND 3.73(b) STATEMENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's communication dated July 22, 2003, enclosed for filing with the above-identified application are copies of two Statements pursuant to 37 CFR 3.73(b) providing reel and frame numbers of the recordation of documentary evidence of chains of title from the original inventors to the common assignee for the above application and U.S. Patent 6,368,469. A Terminal Disclaimer to Obviate A Provisional Double Patenting Rejection Over a Prior Patent is attached hereto.

Respectfully submitted,



William K. Konrad  
Reg. No. 28,868

11/19/03

Date:

Direct All Correspondence to:  
Patent Counsel  
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Santa Clara, CA 95052

Direct Telephone Calls to:  
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(310) 553-7970

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

William K. Konrad

11/19/03  
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TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION OVER A  
PRIOR PATENT

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In re Application of: NULMAN, et al.  
Application No.: 10/052,951  
Filed: January 17, 2002  
For: COILS FOR GENERATING A PLASMA AND FOR SPUTTERING

The owner, Applied Materials, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer, of prior Patent No. 6,368,469. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

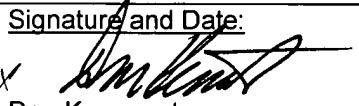
For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

The PTO suggested wording for the terminal disclaimer has been altered only to delete references to execution by an attorney or agent of record. A Statement under 37 CFR 3.73(b) is attached.

Terminal Disclaimer fee of \$110 under 37 CFR 1.20(d) is included.

Signature and Date:

  
X  
Don Kumamoto  
Assistant Secretary  
APPLIED MATERIALS, INC.  
3050 Bowers Avenue  
Santa Clara, California 95054

10/15/03

I certify that this document and fee are being deposited with the U.S. Postal Service as first class mail on the date indicated below and are addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
William K. Konrad

11/19/03  
Date